

judgment of condemnation and forfeiture was entered and it was ordered that the product should be destroyed by the United States marshal.

B. T. GALLOWAY, *Acting Secretary of Agriculture.*

WASHINGTON, D. C., *April 14, 1914.*

**3078. Adulteration and misbranding of beer. U. S. v. Evansville Brewing Association. Plea of guilty. Fine, \$100 and costs. (F. & D. No. 5169. I. S. No. 1005-e.)**

At the November, 1913, term of the District Court of the United States for the District of Indiana, the grand jurors of the United States within and for said district, acting upon a report by the Secretary of Agriculture, returned an indictment against the Evansville Brewing Association, a corporation, Evansville, Ind., charging shipment by said association, in violation of the Food and Drugs Act, on September 20, 1912, from the State of Indiana into the State of Louisiana, of a quantity of beer which was adulterated and misbranded. The product was labeled: "Finest barley, malt and choicest hops. Contents 10 ounces liquid alcohol content 3.7%. Good Luck Brand. Trade Mark. Evansville Brewing Ass'n, Incorporated. Rheingold Beer. Brewed and Bottled by Evansville Brewing Ass'n, Evansville, Ind. Guaranteed by the Evansville Brewing Association under the Food & Drugs Act June 30, 1906. Serial No. 11241."

Analysis of a sample of the product by the Bureau of Chemistry of this department showed the following results:

Alcohol (per cent by volume).....	3.41
Extract (per cent by weight).....	5.33
Extract original wort (per cent by weight).....	10.77
Degree fermentation.....	50.77
Volatile acid, as acetic (grams per 100 cc).....	0.010
Total acid, as lactic (grams per 100 cc).....	0.103
Maltose (per cent).....	1.77
Dextrin (per cent).....	2.50
Ash (per cent).....	0.13
Proteid (per cent).....	0.354
P <sub>2</sub> O <sub>5</sub> (per cent).....	0.048
Undetermined (per cent).....	0.57
Polarization, undiluted, 200 mm tube (°V.).....	+39.6
Color (degrees in $\frac{1}{4}$ -inch cell, Lovibond).....	3

Adulteration of the product was charged in the indictment for the reason that a product brewed from barley, malt, hops, and other cereal products had been substituted in part for a product brewed from hops and malt. Misbranding was alleged for the reason that the statement, "Finest Barley Malt and Choicest Hops," so printed and apparent on the labels attached to the bottles containing the product, regarding the ingredients contained therein, was false and misleading, in that the said product was not brewed only of the finest barley, malt, and choicest hops, but, in truth and in fact, said product was brewed from barley, malt, hops, and cereal products.

On December 16, 1913, the defendant company entered a plea of guilty to the information, and the court imposed a fine of \$100 and costs.

B. T. GALLOWAY, *Acting Secretary of Agriculture.*

WASHINGTON, D. C., *April 14, 1914.*

**3079. Adulteration and misbranding of special pure lemon and lemon mixture. U. S. v. 4 Dozen Bottles Special Pure Lemon and 10 Dozen Bottles of Eclipse Lemon Mixture. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 5178. S. No. 1772.)**

On April 24, 1913, the United States attorney for the Eastern District of Michigan, acting upon a report by the Secretary of Agriculture, filed in the District Court of the